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REMARKS

Applicant acknowledges the Advisory Action mailed November 22, 2005.

The Examiner has declined to enter the Declaration filed by the Applicant on November 15, 2005 in response to the final Office Action mailed September 15, 2005, stating that the Declaration was untimely filed.

Applicant respectfully traverses. The Declaration filed November 15, 2005, was in response to the obviousness rejection of the claims in the final Office Action dated September 15, 2005. All previous rejections of the claims had been based on an anticipation rejection—not an obviousness-type rejection. Therefore, the earliest at which the Applicant could have submitted a Declaration of non-obviousness was in response to the final Office Action. Therefore, Applicant respectfully submits that the submission of the Declaration was not untimely filed and, further, respectfully requests the Examiner to consider the Declaration. Accordingly, Applicant respectfully requests reconsideration of the present application in light of the Declaration submitted November 15, 2005. Applicant respectfully requests the Examiner to contact the undersigned at her earliest convenience to discuss any aspect of the Declaration should the Examiner feel the Declaration is insufficient for any reason.

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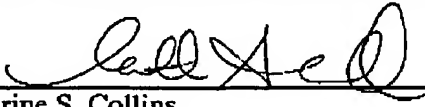
Applicant wishes to thank the Examiner for her prompt response to  
Applicant's telephone inquiry regarding this matter and, further, the courtesies extended to the  
undersigned during these discussions.

Respectfully submitted,

MURRAY ORPIN

By: Van Dyke, Gardner, Linn & Burkhardt, LLP

December 2, 2005  
Date

  
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